

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SYNCA DIRECT, INC.,

Plaintiff and Counterclaim-Defendant,

-against-

MULTIMEDIA DENTAL SYSTEMS, INC.,

Defendant and Counterclaim Plaintiff,

-against-

SYNCA and JOHN DOES 1-5,

Additional Counterclaim-Defendants.

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Case No. 07-CV-6030 (WHP)(GWG)

ORDER TO SHOW CAUSE

Upon the accompanying Affidavit of Joseph K. Poe in Support of Defendant and Counterclaim-Plaintiff Multimedia Dental Systems, Inc.'s Motion for Contempt, dated January 14, 2008, the Affidavit of Robert Scott McLaughlin in Support of Defendant and Counterclaim-Plaintiff Multimedia Dental Systems, Inc.'s Motion for Contempt, dated December 14, 2007 and the Memorandum of Law in Support of Multimedia Dental Systems, Inc.'s Motion for Civil Contempt, dated January 14, 2008, and upon all of the prior pleadings and proceedings in this action, it is

ORDERED that Plaintiff and Counterclaim-Defendant, Synca Direct, Inc., show cause before this Court on January __, 2008, at _____ o'clock in the _____ noon, or as soon thereafter as counsel may be heard, at the United States Courthouse located at 500 Pearl Street, New York, New York, Courtroom 11D, why an order should not be made pursuant to Rule 65, Fed. R. Civ. P., and L. R. 83.9,

(i) holding Synca Direct, Inc. in civil contempt for its failure to obey the Preliminary Injunction Order, entered in this action on January 31, 2007;

(ii) awarding damages to compensate Defendant and Counterclaim-Plaintiff MultiMedia Dental Systems, Inc. for losses it has sustained as a result of Synca Direct, Inc.'s failure to obey the Preliminary Injunction Order;

(iii) imposing sanctions to coerce Synca Direct, Inc.'s future compliance with the Preliminary Injunction Order;

(iv) awarding costs and attorney's fees to MultiMedia Dental Systems, Inc. incident to any finding of civil contempt entered against Synca Direct, Inc.; and

(v) granting such other relief as may be appropriate; and

IT IS FURTHER ORDERED that service of a copy of this order and of the papers on which it is granted upon Synca Direct, Inc. by hand delivering a copy personally to the offices of counsel of record for Synca Direct, Inc. and mailing a copy to all other parties, on or before January ___, 2008, shall be sufficient service; and

IT IS FURTHER ORDERED that pending the hearing of this motion, Synca Direct, Inc. is directed to cease and desist all activities complained of in the supporting papers; and

IT IS FURTHER ORDERED that papers in opposition to the motion must be served on the moving party by hand delivering a copy personally to counsel of record for the moving party on or before January ___, 2008.

Dated: New York, New York
January ___, 2008

SO ORDERED:

WILLIAM H. PAULEY III
UNITED STATES DISTRICT JUDGE